

**Mission**

The office of the District Attorney is created under Chapter 978, Wisconsin Statutes. This department represents the people of the State of Wisconsin and County of Waukesha in the courts. The District Attorney and staff prosecute state criminal matters, forfeiture actions, state and county traffic code and ordinance violations, Department of Natural Resource violations, juvenile, domestic abuse, sexual predator, and harassment cases. The Office of the District Attorney also attempts to educate the public through various conferences, programs, or outreach efforts to the community in order to educate them regarding the criminal justice system and the responsibility of the District Attorney. In addition, the District Attorney also operates the Victim/Witness Program, which provides statutory and constitutionally mandated support to victims and witnesses of crime.

The primary purpose of the Victim/Witness Program is to provide information, referral and support to citizens and law enforcement officers of Waukesha County who have been victims of or witnesses to crimes, and to ensure that the services mandated under Chapter 950, Wisconsin Statutes, are made available to them. To achieve that end, the Victim/Witness staff and its volunteers maintain continuous contact with victims and witnesses to update them on case progress in the criminal justice system.

Financial Summary	2004	2005	2005	2006	Change From 2006	
	Actual	Adopted Budget	Estimate (b)	Budget	Adopted Budget	
					\$	%
Personnel Costs	\$1,588,894	\$1,547,484	\$1,569,846	\$1,615,039	\$67,555	4.4%
Operating Expenses	\$302,143	\$401,040	\$403,885	\$402,859	\$1,819	0.5%
Interdept. Charges	\$209,372	\$212,690	\$224,253	\$215,765	\$3,075	1.4%
Fixed Assets	\$0	\$0	\$0	\$0	\$0	N/A
<b>Total Expenditures</b>	<b>\$2,100,409</b>	<b>\$2,161,214</b>	<b>\$2,197,984</b>	<b>\$2,233,663</b>	<b>\$72,449</b>	<b>3.4%</b>
General Government	\$328,570	\$416,450	\$401,773	\$408,794	(\$7,656)	-1.8%
Charges for Service	\$55,839	\$42,000	\$44,000	\$45,000	\$3,000	7.1%
Interdepartmental	\$50,838	\$55,408	\$55,408	\$58,418	\$3,010	5.4%
Other Revenue	\$72,853	\$94,485	\$90,769	\$101,180	\$6,695	7.1%
Appr. Fund Balance (a)	\$43,116	\$0	\$16,315	\$0	\$0	N/A
<b>Total Revenues</b>	<b>\$551,216</b>	<b>\$608,343</b>	<b>\$608,265</b>	<b>\$613,392</b>	<b>\$5,049</b>	<b>0.8%</b>
<b>Tax Levy</b>	<b>\$1,542,871</b>	<b>\$1,552,871</b>	<b>\$1,552,871</b>	<b>\$1,620,271</b>	<b>\$67,400</b>	<b>4.3%</b>
Exp. (Over) Under Rev. & Levy	(\$6,322)	-	(\$36,848)	-	-	
<i>State Funded Positions</i>	<i>16.00</i>	<i>16.00</i>	<i>16.00</i>	<i>16.00</i>	<i>0.00</i>	
<b>Position Summary (FTE)</b>						
Regular Positions	31.50	30.50	30.50	30.00	(0.50)	
Extra Help	1.32	1.31	1.31	1.51	0.20	
Overtime	0.05	0.05	0.05	0.05	0.00	
Total [County]	32.87	31.86	31.86	31.56	(0.30)	

(a) General Fund Balance is appropriated to fund expenditure authority carried forward from the prior year.

(b) The 2005 Estimate is projected to exceed the Modified Budget due to unexpected court trial costs not anticipated in the budget and greater than budgeted Personnel Costs.

**Departmental Strategic Objectives****Manage Resources With Fiscal Prudence**

1. Continue providing exceptional services to the citizens of Waukesha County by utilizing a vast array of volunteer services available within the community, including churches, educational institutions, not-for-profit groups, and other entities both within Waukesha County and doing business in Waukesha County.
2. Explore all avenues of alternative funding and grants for legal staff, especially paralegals or other staff with legal training, with an emphasis on technology, to serve the citizens of Waukesha County.
3. Continue to investigate the implementation of a drug court in Waukesha County as a member of the Waukesha County Criminal Justice Coordinating Council which will allow targeted alcohol-related offenses to be processed through the system in an expedited fashion with intensive monitoring of these individuals during the process and after conviction.

**Innovate and Seek Continuous Quality Improvement**

1. Explore the feasibility of creating a deferral/deferred prosecution program for non-violent, first-time offenders relating to crimes other than domestic violence, with a particular emphasis on property offenses under Chapter 943. This deferred prosecution program would entail the filing of criminal charges but with a deferral of any prosecution and/or conviction for a period of time, contingent on the offender complying with various conditions, such as up-front restitution, alcohol and drug assessment, psychological counseling, mediation, Victim Impact Panel participation, and other reasonable conditions that would result in either the dismissal of the charges filed or a reduction of the charges to a non-criminal disposition. Entry and participation in the program would also be contingent on retaining additional staff to develop, implement, and monitor the program and create a reporting structure to the District Attorney.

**Provide Comprehensive Customer Service**

1. Continue to attempt to obtain funding to implement a program for the under-served population of Waukesha County, including Hispanic, Hmong, and elderly citizens, to include education, intervention, and support services. This is a continuation of a previously stated objective.
2. Continue to maintain a goal of community prosecution by partnering with other county and community agencies to offer programs and services in crime prevention, safety issues, alcohol education and awareness. These programs would include the P.A.R.C. Task Force (Preventing Alcohol Related Crashes), the Fast Track OAWI Program, the Intensive Supervision Program for Alcohol Citation, the Mobile Eyes Program, Crime Stoppers and cooperating and partnering with the Criminal Justice Collaboration Council of Waukesha County.
3. Strive to continue current level of human resources, especially prosecutors, and more specifically in the area of narcotics enforcement. Customer service in this area is imperative due to the insidious nature of the drug culture. Our current customer service encompasses a full-time prosecutor that provides 24 hour service to the Waukesha County Metropolitan Drug Enforcement Unit. This office will continue to strive to maintain that level of service, despite continuing reductions in grant funding for this area.
4. Investigate the creation and implementation of a joint case management system between Prosecutor Technical Case Tracking (PROTECT) and local police agencies that will provide for a more robust exchange of information between police agencies and the District Attorney's Office, including the possibility of a paperless report submission process between targeted police agencies and the District Attorney's Office.

**Retain and Develop a High Quality Workforce**

1. As in past years, utilize business partners such as law enforcement, Wisconsin Victim/Witness Professionals, and the Medical Examiner's Office to provide, at minimal County cost, annual in-service training to staff in order to increase their knowledge of the criminal justice system and improve their ability to assist customers. Planned topics include stalking, customer service and homicide investigations.

**Major Departmental Strategic Achievements from 7/01/04 to 6/30/05**

1. Completed the implementation of the PROTECT (Prosecutor Technical Case Tracking) State case management system within the District Attorney's Office, which included the installation of necessary hardware and software, IJIS system data conversion, and implementation of system training for all District Attorney's Office staff.
2. Continued the services being provided by the Victim/Witness Unit, and the Crisis Intervention - Mobile Victim Assistance (MVA) Program to the greatest number of victims ever served by the programs to date. This included providing services to victims' families and responders to the mass homicide scene, which occurred in 2005 at the Sheraton Hotel in Brookfield. This effort was recognized with the receipt of a statewide crime victim services award to the MVA unit of this office.
3. Collected and returned to businesses and victims of the community in excess of \$465,000 in restitution. This figure includes restitution paid by offenders, worthless check collections, and other crime victim payments made to this office during the period.
4. Consistently maintained an exceedingly high conviction rate in excess of 90% for all cases submitted to this office, including the retrial of the State of Wisconsin vs. Theodore Oswald case.
5. Created a program for the expedited handling of domestic violence cases in response to the forced closure of this office's Domestic Violence Unit, which resulted from the elimination of three state prosecutor positions in 2004.

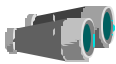
## Prosecution / Administrative Services

## Program Description

The District Attorney is a constitutional office representing the people of the State of Wisconsin and the County of Waukesha in the criminal and civil courts. This area instigates investigations and follows through with prosecutions and convictions for all criminal matters within the jurisdictional boundaries of the Waukesha County District Attorney's Office.

	2004 Actual	2005 Budget	2005 Estimate	2006 Budget	Budget Change
<b>Staffing (FTE)</b>	<b>23.31</b>	<b>22.31</b>	<b>22.31</b>	<b>22.31</b>	<b>0.00</b>
<b>State Funded Prosecutors</b>	<b>16.00</b>	<b>16.00</b>	<b>16.00</b>	<b>16.00</b>	<b>0.00</b>
Personnel Costs	\$1,149,030	\$1,074,528	\$1,092,025	\$1,130,151	\$55,623
Operating Expenses	\$296,904	\$384,090	\$395,165	\$386,423	\$2,333
Interdept. Charges	\$183,803	\$190,528	\$203,897	\$193,051	\$2,523
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures</b>	<b>\$1,629,737</b>	<b>\$1,649,146</b>	<b>\$1,691,087</b>	<b>\$1,709,625</b>	<b>\$60,479</b>
General Government	\$16,730	\$62,100	\$51,003	\$51,000	(\$11,100)
Charges for Services	\$55,839	\$42,000	\$44,000	\$45,000	\$3,000
Interdepartmental	\$50,838	\$55,408	\$55,408	\$58,418	\$3,010
Other Revenue	\$72,853	\$58,985	\$55,269	\$62,080	\$3,095
Appr. Fund Balance	\$43,116	\$0	\$16,315	\$0	\$0
<b>Total Revenues</b>	<b>\$239,376</b>	<b>\$218,493</b>	<b>\$221,995</b>	<b>\$216,498</b>	<b>(\$1,995)</b>
<b>Tax Levy</b>	<b>\$1,412,082</b>	<b>\$1,430,653</b>	<b>\$1,430,653</b>	<b>\$1,493,127</b>	<b>\$62,474</b>

Exp. (Over) Under Rev. & Levy	\$21,721	-	(\$38,439)	-	-
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## Program Highlights

Personnel costs increase \$56,000 due to cost to continue 21.50 FTE positions. Temporary Extra Help for 2006 is budgeted at 0.77 FTE and Overtime is budgeted at 0.04 FTE (no change from 2005).

Operating Expenses for 2006 include contracted services (the largest component of the expenses) expenditures consisting of \$50,000 (a \$10,000 decrease) of pass-through grant funding for the PARC Task Force, \$54,700 (a \$3,700 increase from 2005) of state reimbursed health and dental cost for prosecutors electing County benefits, \$50,000 of tax levy funded expenditure authority for the OWI Intensive Supervision program, and \$58,400 (a \$3,000 increase from 2005) for a special state drug prosecutor funded by the Byrne Grant through the Sheriff's department. Cost for trial preparation, law intern assistance, and extradition for 2006 are budgeted at \$109,200, an increase of \$7,200 from 2005.

Interdepartmental Charges include charges for a Sheriff department detective (specifically allocated to this office per State statute) of \$80,800; imaging charges of \$55,000; telephone (land line & cellular) of \$22,000; and postage costs of \$19,600.

The 2006 Revenue budget includes funding for the PARC Task Force of \$50,000; Charges for Services—photocopying charges of \$45,000; Interdepartmental revenue through the Sheriff's department for the special drug prosecutor of \$58,400; Other revenue includes state reimbursement of state prosecutors electing county insurance benefits at a cost of \$54,700, and extradition recoveries of \$7,400.

## Performance Measure Description

Indicates the number of OWI offenders referred to the Intensive Supervision program in Waukesha County over a three-year period.



## Performance Measures

	2004 Actual	2005 Budget	2005 Estimate	2006 Budget	Budget Change
OWI Intensive Supervision Program (inception 2/1/99)					
2 <sup>nd</sup> Offenders	543	500	550	540	40
3 <sup>rd</sup> & Subsequent Offenders	339	300	325	320	20

## Victim/Witness

**Program Description**

Wisconsin Statute 950 mandates that victims of criminal offenses are kept informed of case progress to final disposition. Victims and witnesses are prepared for testimony, escorted to court, and assisted in obtaining witness fees and crime victim compensation. Victims also receive assistance with victim impact statements and temporary restraining orders.

	2004 Actual	2005 Budget	2005 Estimate	2006 Budget	Budget Change
<b>Staffing (FTE)</b>	<b>7.50</b>	<b>7.50</b>	<b>7.50</b>	<b>7.50</b>	<b>0.00</b>
Personnel Costs	\$345,871	\$361,740	\$366,517	\$382,666	\$20,926
Operating Expenses	\$3,500	\$12,775	\$5,351	\$12,511	(\$264)
Interdept. Charges	\$23,043	\$19,780	\$18,449	\$20,432	\$652
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures:</b>	<b>\$372,414</b>	<b>\$394,295</b>	<b>\$390,317</b>	<b>\$415,609</b>	<b>\$21,314</b>
General Government	\$213,551	\$236,577	\$234,190	\$249,365	\$12,788
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$0	\$0	\$0	\$0	\$0
Interdepartmental	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$0	\$35,500	\$35,500	\$39,100	\$3,600
Appr. Fund Balance	\$0	\$0	\$0	\$0	\$0
<b>Total Revenues:</b>	<b>\$213,551</b>	<b>\$272,077</b>	<b>\$269,690</b>	<b>\$288,465</b>	<b>\$16,388</b>
<b>Tax Levy</b>	<b>\$130,789</b>	<b>\$122,218</b>	<b>\$122,218</b>	<b>\$127,144</b>	<b>\$4,926</b>

Exp. (Over) Under Rev. & Levy	(\$28,074)	-	\$1,591	-	-
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**Program Highlights**

Personnel Costs increase is based on the merit and inflationary increases for 7.50 FTE staff, along with slightly higher insurance benefit costs due to plan participation choices. Program Operating Costs and Interdepartmental Charges remain relatively stable.

Program revenue is budgeted at 60% of expenditures for 2006; the same budget level for 2005, for an increase of \$12,800. The reimbursement is sum-certain statewide funding which has varied in the last 5 years from 59% to 71%. The reimbursement level varies depending upon the amount of requests submitted by other Victim/Witness programs throughout the state. Other Revenue includes bail forfeiture interest collections of \$39,100, an increase of \$3,600 from 2005.

**Victim / Witness Fact**

- ✓ The Victim/Witness Assistance Program assisted 511 individuals with restraining orders in 2004.
- ✓ The Victim/Witness Assistance Program staff provided services to 4,300 crime victims during 2004. This is an increase from 2003, when 3,980 individual crime victims received services.

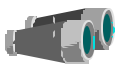
## VOCA Grant/Program

**Program Description**

Social workers and volunteers provide 24-hour assistance to victims at the scene of the crime, at the request of law enforcement. Victims receive emotional support, information about the criminal justice system, and referrals to community resources. Grant resources, provided through the Victims of Crime Act (VOCA), fully fund (100%) of program expenditures.

	2004 Actual	2005 Budget	2005 Estimate	2006 Budget	Budget Change
<b>Staffing (FTE)</b>	<b>2.06</b>	<b>2.05</b>	<b>2.05</b>	<b>1.75</b>	<b>(0.30)</b>
Personnel Costs	\$93,993	\$111,216	\$111,304	\$102,222	(\$8,994)
Operating Expenses	\$1,739	\$4,175	\$3,369	\$3,925	(\$250)
Interdept. Charges	\$2,526	\$2,382	\$1,907	\$2,282	(\$100)
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures:</b>	<b>\$98,258</b>	<b>\$117,773</b>	<b>\$116,580</b>	<b>\$108,429</b>	<b>(\$9,344)</b>
General Government	\$98,289	\$117,773	\$116,580	\$108,429	(\$9,344)
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$0	\$0	\$0	\$0	\$0
Interdepartmental	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$0	\$0	\$0	\$0	\$0
Appr. Fund Balance	\$0	\$0	\$0	\$0	\$0
<b>Total Revenues:</b>	<b>\$98,289</b>	<b>\$117,773</b>	<b>\$116,580</b>	<b>\$108,429</b>	<b>(\$9,344)</b>
<b>Tax Levy</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Exp. (Over) Under Rev. & Levy	\$31	-	-	-	-
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**Program Highlights**

Expenditure and Revenue decreases are due to a reduction of State funding for this program. This resulted in a 0.50 FTE Social Worker position being abolished due to the sunset clause attached to the position. The program is increasing temporary extra help 0.20 FTE to partially offset this decrease.

**Performance Measure Description:**

The use of volunteers allows the limited grant funding to be used over a larger amount of cases.



<b>Performance Measures</b>	2004 Actual	2005 Budget	2005 Estimate	2006 Budget	Budget Change
Volunteer Hours Donated to the County	3,700 1.77 FTE	3,000 1.44 FTE	3,200 1.53 FTE	3,000 1.44 FTE	0 hours 0.00 FTE
Estimated Cost Avoidance through Volunteer Hours	\$55,500	\$45,000	\$48,000	\$45,000	\$0

**Victim Witness Fact:**

**Did You Know** the Mobile Victim Witness (MVA) staff is available 24 hours a day, 7 days a week? Their motto is "Any crime, any time." They have responded to cases of domestic abuse, sexual assault, bank robberies, homicide, battery and many other types of crime.

The Mobile Victim Assistance program received the Wisconsin Victim Witness Professionals 2005 Victim Advocacy Award for the unit's response to and assistance with the March 12, 2005 tragedy at the Sheraton Hotel.

